

109TH CONGRESS  
2D SESSION

# S. 3772

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in White Pine County, Nevada, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2006

Mr. ENSIGN (for himself and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in White Pine County, Nevada, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. AUTHORIZATION OF APPROPRIATIONS.**

4       There are authorized to be appropriated such sums  
5       as are necessary to carry out this Act.

6       **SEC. 2. SHORT TITLE; TABLE OF CONTENTS.**

7       (a) SHORT TITLE.—This Act may be cited as the  
8       “White Pine County Conservation, Recreation, and Devel-  
9       opment Act of 2006”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

Sec. 1. Authorization of appropriations.  
 Sec. 2. Short title; table of contents.  
 Sec. 3. Definitions.

#### TITLE I—LAND DISPOSAL

Sec. 101. Conveyance of White Pine County, Nevada, land.  
 Sec. 102. Disposition of proceeds.

#### TITLE II—WILDERNESS AREAS

Sec. 201. Short title.  
 Sec. 202. Findings.  
 Sec. 203. Additions to National Wilderness Preservation System.  
 Sec. 204. Administration.  
 Sec. 205. Adjacent management.  
 Sec. 206. Military overflights.  
 Sec. 207. Native American cultural and religious uses.  
 Sec. 208. Release of wilderness study areas.  
 Sec. 209. Wildlife management.  
 Sec. 210. Wildfire management.  
 Sec. 211. Climatological data collection.

#### TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION

Sec. 301. Transfer to the United States Fish and Wildlife Service.  
 Sec. 302. Transfer to the Bureau of Land Management.  
 Sec. 303. Availability of map and legal descriptions.

#### TITLE IV—PUBLIC CONVEYANCES

Sec. 401. Conveyance to the State of Nevada.  
 Sec. 402. Conveyance to White Pine County, Nevada.

#### TITLE V—SILVER STATE OFF-HIGHWAY VEHICLE TRAIL

Sec. 501. Silver State off-highway vehicle trail.

#### TITLE VI—TRANSFER OF LAND TO BE HELD IN TRUST FOR THE ELY SHOSHONE TRIBE.

Sec. 601. Transfer of land to be held in trust for the Ely Shoshone Tribe.

#### TITLE VII—EASTERN NEVADA LANDSCAPE RESTORATION PROJECT.

Sec. 701. Findings; purposes.  
 Sec. 702. Definitions.  
 Sec. 703. Restoration project.

#### TITLE VIII—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT OF 1998

Sec. 801. Findings.  
 Sec. 802. Definitions.

Sec. 803. Availability of special account.  
 Sec. 804. Affordable housing.

#### TITLE IX—GREAT BASIN HERITAGE ROUTE

Sec. 901. Short title.  
 Sec. 902. Findings and purposes.  
 Sec. 903. Definitions.  
 Sec. 904. Great Basin National Heritage Route.  
 Sec. 905. Memorandum of understanding.  
 Sec. 906. Management Plan.  
 Sec. 907. Authority and duties of local coordinating entity.  
 Sec. 908. Duties and authorities of Federal agencies.  
 Sec. 909. Land use regulation; applicability of Federal law.  
 Sec. 910. Authorization of appropriations.  
 Sec. 911. Termination of authority.

### 1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) COUNTY.—The term “County” means  
 4 White Pine County, Nevada.

5 (2) SECRETARY.—The term “Secretary”  
 6 means—

7 (A) with respect to land in the National  
 8 Forest System, the Secretary of Agriculture;  
 9 and

10 (B) with respect to other Federal land, the  
 11 Secretary of the Interior.

12 (3) STATE.—The term “State” means the State  
 13 of Nevada.

## 14 **TITLE I—LAND DISPOSAL**

15 **SEC. 101. CONVEYANCE OF WHITE PINE COUNTY, NEVADA,**  
 16 **LAND.**

17 (a) IN GENERAL.—Notwithstanding sections 202 and  
 18 203 of the Federal Land Policy and Management Act of

1 1976 (43 U.S.C. 1712, 1713), the Secretary, in coopera-  
 2 tion with the County, in accordance with that Act, this  
 3 title, and other applicable law and subject to valid existing  
 4 rights, shall, at such time as the parcels of Federal land  
 5 become available for disposal, conduct sales of the parcels  
 6 of Federal land described in subsection (b) to qualified  
 7 bidders.

8 (b) DESCRIPTION OF LAND.—The parcels of Federal  
 9 land referred to in subsection (a) consist of not more than  
 10 45,000 acres of Bureau of Land Management land in the  
 11 County that—

12 (1) is not segregated or withdrawn on or after  
 13 the date of enactment of this Act; and

14 (2) is identified for disposal by the Bureau of  
 15 Land Management through—

16 (A) the Ely Resource Management Plan;

17 or

18 (B) a subsequent amendment to the man-  
 19 agement plan that is undertaken with full pub-  
 20 lic involvement.

21 (c) AVAILABILITY.—The map and any legal descrip-  
 22 tions of the Federal land conveyed under this section shall  
 23 be on file and available for public inspection in—

24 (1) the Office of the Director of the Bureau of  
 25 Land Management;

1           (2) the Office of the Nevada State Director of  
2           the Bureau of Land Management; and

3           (3) the Ely Field Office of the Bureau of Land  
4           Management.

5           (d) JOINT SELECTION REQUIRED.—The Secretary  
6           and the County shall jointly select which parcels of Fed-  
7           eral land described in subsection (b) to offer for sale under  
8           subsection (a).

9           (e) COMPLIANCE WITH LOCAL PLANNING AND ZON-  
10          ING LAWS.—Before a sale of Federal land under sub-  
11          section (a), the County shall submit to the Secretary a  
12          certification that qualified bidders have agreed to comply  
13          with—

14                (1) County and city zoning ordinances; and

15                (2) any master plan for the area approved by  
16          the County.

17          (f) METHOD OF SALE; CONSIDERATION.—The sale of  
18          Federal land under subsection (a) shall be—

19                (1) consistent with subsections (d) and (f) of  
20          section 203 of the Federal Land Management Policy  
21          Act of 1976 (43 U.S.C. 1713);

22                (2) unless otherwise determined by the Sec-  
23          retary, through a competitive bidding process; and

24                (3) for not less than fair market value.

25          (g) WITHDRAWAL.—

1           (1) IN GENERAL.—Subject to valid existing  
 2           rights and except as provided in paragraph (2), the  
 3           Federal land described in subsection (b) is with-  
 4           drawn from—

5                   (A) all forms of entry and appropriation  
 6                   under the public land laws and mining laws;

7                   (B) location and patent under the mining  
 8                   laws; and

9                   (C) operation of the mineral laws, geo-  
 10                  thermal leasing laws, and mineral material  
 11                  laws.

12           (2) EXCEPTION.—Paragraph (1)(A) shall not  
 13           apply to sales made consistent with this section or  
 14           an election by the County or the State to obtain the  
 15           land described in subsection (b) for public purposes  
 16           under the Act of June 14, 1926 (commonly known  
 17           as the “Recreation and Public Purposes Act”) (43  
 18           U.S.C. 869 et seq.).

19           (h) DEADLINE FOR SALE.—

20                   (1) IN GENERAL.—Except as provided in para-  
 21                   graph (2), not later than 1 year after the date of en-  
 22                   actment of this Act and annually thereafter until the  
 23                   Federal land described in subsection (b) is disposed  
 24                   of or the County requests a postponement under

1 paragraph (2), the Secretary shall offer for sale the  
 2 Federal land described in subsection (b).

3 (2) POSTPONEMENT; EXCLUSION FROM SALE.—

4 (A) REQUEST BY COUNTY FOR POSTPONE-  
 5 MENT OR EXCLUSION.—At the request of the  
 6 County, the Secretary shall postpone or exclude  
 7 from the sale all or a portion of the land de-  
 8 scribed in subsection (b).

9 (B) INDEFINITE POSTPONEMENT.—Unless  
 10 specifically requested by the County, a post-  
 11 ponement under subparagraph (A) shall not be  
 12 indefinite.

13 **SEC. 102. DISPOSITION OF PROCEEDS.**

14 (a) DISPOSITION OF PROCEEDS.—Of the proceeds  
 15 from the sale of Federal land described in section  
 16 101(b)—

17 (1) 5 percent shall be paid directly to the State  
 18 for use in the general education program of the  
 19 State;

20 (2) 10 percent shall be paid to the County for  
 21 use for fire protection, law enforcement, public safe-  
 22 ty, housing, social services, transportation, and nat-  
 23 ural resource planning; and

24 (3) the remainder shall be deposited in a special  
 25 account in the Treasury of the United States, to be

1 known as the “White Pine County Special Account”  
2 (referred to in this title as the “special account”),  
3 and shall be available without further appropriation  
4 to the Secretary until expended for—

5 (A) the reimbursement of costs incurred by  
6 the Nevada State office and the Ely Field Of-  
7 fice of the Bureau of Land Management for  
8 preparing for the sale of Federal land described  
9 in section 101(b), including the costs of surveys  
10 and appraisals and compliance with the Na-  
11 tional Environmental Policy Act of 1969 (42  
12 U.S.C. 4321) and sections 202 and 203 of the  
13 Federal Land Policy and Management Act of  
14 1976 (43 U.S.C. 1712, 1713);

15 (B) the inventory, evaluation, protection,  
16 and management of unique archaeological re-  
17 sources (as defined in section 3 of the Archae-  
18 ological Resources Protection Act of 1979 (16  
19 U.S.C. 470bb)) of the County;

20 (C) the reimbursement of costs incurred by  
21 the Department of the Interior for preparing  
22 and carrying out the transfers of land to be  
23 held in trust by the United States under section  
24 601;

1 (D) processing public land use authoriza-  
2 tions and rights-of-way relating to the develop-  
3 ment of land conveyed under section 101(a);

4 (E) conducting a study of routes for the  
5 Silver State Off-Highway Vehicle Trail as re-  
6 quired by section 501(a);

7 (F) developing and implementing the Silver  
8 State Off-Highway Vehicle Trail management  
9 plan described in section 501(c);

10 (G) processing wilderness designations, in-  
11 cluding the costs of appropriate fencing, sign-  
12 age, public education, and enforcement for the  
13 wilderness areas designated;

14 (H) if the Secretary determines necessary,  
15 developing and implementing conservation plans  
16 for endangered or at risk species in the County;  
17 and

18 (I) carrying out a study to assess non-mo-  
19 torized recreation opportunities on Federal land  
20 in the County.

21 (b) INVESTMENT OF SPECIAL ACCOUNT.—Any  
22 amounts deposited in the special account shall earn inter-  
23 est in an amount determined by the Secretary of the  
24 Treasury on the basis of the current average market yield  
25 on outstanding marketable obligations of the United

1 States of comparable maturities, and may be expended in  
 2 accordance with this section.

## 3 **TITLE II—WILDERNESS AREAS**

### 4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “Pam White Wilderness  
 6 Act of 2006”.

### 7 **SEC. 202. FINDINGS.**

8 Congress finds that—

9 (1) public land in the County contains unique  
 10 and spectacular natural resources, including—

11 (A) priceless habitat for numerous species  
 12 of plants and wildlife; and

13 (B) thousands of acres of land that remain  
 14 in a natural state; and

15 (2) continued preservation of those areas would  
 16 benefit the County and all of the United States by—

17 (A) ensuring the conservation of eco-  
 18 logically diverse habitat;

19 (B) protecting prehistoric cultural re-  
 20 sources;

21 (C) conserving primitive recreational re-  
 22 sources; and

23 (D) protecting air and water quality.

1 **SEC. 203. ADDITIONS TO NATIONAL WILDERNESS PRESER-**  
2 **VATION SYSTEM.**

3 (a) ADDITIONS.—The following land in the State is  
4 designated as wilderness and as components of the Na-  
5 tional Wilderness Preservation System:

6 (1) MT. MORIAH WILDERNESS ADDITION.—Cer-  
7 tain Federal land managed by the Forest Service  
8 and the Bureau of Land Management, comprising  
9 approximately 11,193 acres, as generally depicted on  
10 the map entitled “Eastern White Pine County” and  
11 dated August 1, 2006, is incorporated in, and shall  
12 be managed as part of, the Mt. Moriah Wilderness,  
13 as designated by section 2(13) of the Nevada Wil-  
14 derness Protection Act of 1989 (16 U.S.C. 1132  
15 note; Public Law 101–195).

16 (2) MOUNT GRAFTON WILDERNESS.—Certain  
17 Federal land managed by the Bureau of Land Man-  
18 agement, comprising approximately 66,918 acres, as  
19 generally depicted on the map entitled “Southern  
20 White Pine County” and dated August 1, 2006,  
21 which shall be known as the “Mount Grafton Wil-  
22 derness”.

23 (3) SOUTH EGAN RANGE WILDERNESS.—Cer-  
24 tain Federal land managed by the Bureau of Land  
25 Management, comprising approximately 42,967  
26 acres, as generally depicted on the map entitled

1 “Southern White Pine County” and dated August 1,  
2 2006, which shall be known as the “South Egan  
3 Range Wilderness”.

4 (4) EGAN RIDGELINE WILDERNESS.—Certain  
5 Federal land managed by the Bureau of Land Man-  
6 agement, comprising approximately 18,669 acres, as  
7 generally depicted on the map entitled “Southern  
8 White Pine County” and dated August 1, 2006,  
9 which shall be known as the “Egan Ridgeline Wil-  
10 derness”.

11 (5) HIGHLAND RIDGE WILDERNESS.—Certain  
12 Federal land managed by the Bureau of Land Man-  
13 agement and the Forest Service, comprising approxi-  
14 mately 70,098 acres, as generally depicted on the  
15 map entitled “Southern White Pine County” and  
16 dated August 1, 2006, which shall be known as the  
17 “Highland Ridge Wilderness”.

18 (6) GOVERNMENT PEAK WILDERNESS.—Certain  
19 Federal land managed by the Bureau of Land Man-  
20 agement, comprising approximately 6,313 acres, as  
21 generally depicted on the map entitled “Eastern  
22 White Pine County” and dated August 1, 2006,  
23 which shall be known as the “Government Peak Wil-  
24 derness”.

1           (7) CURRANT MOUNTAIN WILDERNESS ADDI-  
2           TION.—Certain Federal land managed by the Forest  
3           Service, comprising approximately 10,631 acres, as  
4           generally depicted on the map entitled “Western  
5           White Pine County” and dated August 1, 2006, is  
6           incorporated in, and shall be managed as part of,  
7           the “Currant Mountain Wilderness”, as designated  
8           by section 2(4) of the Nevada Wilderness Protection  
9           Act of 1989 (16 U.S.C. 1132 note; Public Law 101–  
10          195).

11          (8) RED MOUNTAIN WILDERNESS.—Certain  
12          Federal land managed by the Forest Service, com-  
13          prising approximately 20,490 acres, as generally de-  
14          picted on the map entitled “Western White Pine  
15          County” and dated August 1, 2006, which shall be  
16          known as the “Red Mountain Wilderness”.

17          (9) BALD MOUNTAIN WILDERNESS.—Certain  
18          Federal land managed by the Bureau of Land Man-  
19          agement and the Forest Service, comprising approxi-  
20          mately 22,352 acres, as generally depicted on the  
21          map entitled “Western White Pine County” and  
22          dated August 1, 2006, which shall be known as the  
23          “Bald Mountain Wilderness”.

24          (10) WHITE PINE RANGE WILDERNESS.—Cer-  
25          tain Federal land managed by the Forest Service,

1 comprising approximately 42,562 acres, as generally  
2 depicted on the map entitled “Western White Pine  
3 County” and dated August 1, 2006, which shall be  
4 known as the “White Pine Range Wilderness”.

5 (11) SHELLBACK WILDERNESS.—Certain Fed-  
6 eral land managed by the Forest Service, comprising  
7 approximately 36,133 acres, as generally depicted on  
8 the map entitled “Western White Pine County” and  
9 dated August 1, 2006, which shall be known as the  
10 “Shellback Wilderness”.

11 (12) SCHELL CREEK RANGE WILDERNESS.—  
12 Certain Federal land managed by the Forest Serv-  
13 ice, comprising approximately 122,123 acres, as gen-  
14 erally depicted on the map entitled “Eastern White  
15 Pine County” and dated August 1, 2006, which  
16 shall be known as the “Schell Creek Wilderness”.

17 (13) BECKY PEAK WILDERNESS.—Certain Fed-  
18 eral land managed by the Bureau of Land Manage-  
19 ment, comprising approximately 18,119 acres, as  
20 generally depicted on the map entitled “Northern  
21 White Pine County” and dated August 1, 2006,  
22 which shall be known as the “Becky Peak Wilder-  
23 ness”.

24 (14) GOSHUTE CANYON WILDERNESS.—Certain  
25 Federal land managed by the Bureau of Land Man-

1       agement, comprising approximately 42,657 acres, as  
2       generally depicted on the map entitled “Northern  
3       White Pine County” and dated August 1, 2006,  
4       which shall be known as the “Goshute Canyon Wil-  
5       derness”.

6           (15)   BRISTLECONE    WILDERNESS.—Certain  
7       Federal land managed by the Bureau of Land Man-  
8       agement, comprising approximately 14,095 acres, as  
9       generally depicted on the map entitled “Eastern  
10      White Pine County” and dated August 1, 2006,  
11      which shall be known as the “Bristlecone Wilder-  
12      ness”.

13      (b) BOUNDARY.—The boundary of any portion of a  
14      wilderness area designated by subsection (a) that is bor-  
15      dered by a road shall be at least 100 feet from the edge  
16      of the road to allow public access.

17      (c) MAP AND LEGAL DESCRIPTION.—

18           (1) IN GENERAL.—As soon as practicable after  
19      the date of enactment of this Act, the Secretary  
20      shall file a map and legal description of each wilder-  
21      ness area designated by subsection (a) with the  
22      Committee on Energy and Natural Resources of the  
23      Senate and the Committee on Resources of the  
24      House of Representatives.

1           (2) EFFECT.—Each map and legal description  
2       shall have the same force and effect as if included  
3       in this section, except that the Secretary may correct  
4       clerical and typographical errors in the map or legal  
5       description.

6           (3) AVAILABILITY.—Each map and legal de-  
7       scription shall be on file and available for public in-  
8       spection in—

9                   (A) the Office of the Director of the Bu-  
10       reau of Land Management;

11                   (B) the Office of the Nevada State Direc-  
12       tor of the Bureau of Land Management;

13                   (C) the Ely Field Office of the Bureau of  
14       Land Management;

15                   (D) the Office of the Chief of the Forest  
16       Service;

17                   (E) the Office of the Regional Forester,  
18       Region 4; and

19                   (F) the Office of the Forest Supervisor of  
20       the Humboldt-Toiyabe National Forest; and

21                   (G) the Ely Ranger District Office of the  
22       Forest Service.

23       (d) WITHDRAWAL.—Subject to valid existing rights,  
24   the wilderness areas designated by subsection (a) are with-  
25   drawn from—

1 (1) all forms of entry, appropriation, and dis-  
 2 posal under the public land laws;

3 (2) location, entry, and patent under the mining  
 4 laws; and

5 (3) operation of the mineral leasing and geo-  
 6 thermal leasing laws.

7 (e) MT. MORIAH WILDERNESS BOUNDARY ADJUST-  
 8 MENT.—The boundary of the Mt. Moriah Wilderness es-  
 9 tablished under section 2(13) of the Nevada Wilderness  
 10 Protection Act of 1989 (16 U.S.C. 1132 note; Public Law  
 11 101–195) is adjusted to include only the land identified  
 12 as the “Mount Moriah Wilderness” on the map entitled  
 13 “Eastern White Pine County” and dated August 1, 2006.

14 **SEC. 204. ADMINISTRATION.**

15 (a) MANAGEMENT.—Subject to valid existing rights,  
 16 each area designated as wilderness by this title shall be  
 17 administered by the Secretary in accordance with the Wil-  
 18 derness Act (16 U.S.C. 1131 et seq.), except that—

19 (1) any reference in that Act to the effective  
 20 date shall be considered to be a reference to the date  
 21 of enactment of this Act; and

22 (2) any reference in that Act to the Secretary  
 23 of Agriculture shall be considered to be a reference  
 24 to the Secretary of Agriculture or the Secretary of  
 25 the Interior, as appropriate.

1       (b) LIVESTOCK.—Within the wilderness areas des-  
 2     ignated under this title that are administered by the Bu-  
 3     reau of Land Management and the Forest Service, the  
 4     grazing of livestock in areas in which grazing is estab-  
 5     lished as of the date of enactment of this Act shall be  
 6     allowed to continue—

7             (1) subject to such reasonable regulations, poli-  
 8     cies, and practices that the Secretary considers nec-  
 9     essary; and

10            (2) consistent with section 4(d)(4) of the Wil-  
 11     derness Act (16 U.S.C. 1133(d)(4)), including the  
 12     guidelines set forth in Appendix A of House Report  
 13     101–405.

14       (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
 15     ESTS.—Any land or interest in land within the boundaries  
 16     of an area designated as wilderness by this title that is  
 17     acquired by the United States after the date of enactment  
 18     of this Act shall be added to and administered as part  
 19     of the wilderness area within which the acquired land or  
 20     interest is located.

21       (d) WATER RIGHTS.—

22             (1) FINDINGS.—Congress finds that—

23                     (A) the land designated as wilderness by  
 24             this title is located—

1 (i) in the semiarid region of the Great  
2 Basin; and

3 (ii) at the headwaters of the streams  
4 and rivers on land with respect to which  
5 there are few if any—

6 (I) actual or proposed water re-  
7 source facilities located upstream; and

8 (II) opportunities for diversion,  
9 storage, or other uses of water occur-  
10 ring outside the land that would ad-  
11 versely affect the wilderness values of  
12 the land;

13 (B) the land designated as wilderness by  
14 this title is generally not suitable for use or de-  
15 velopment of new water resource facilities; and

16 (C) because of the unique nature of the  
17 land designated as wilderness by this title, it is  
18 possible to provide for proper management and  
19 protection of the wilderness and other values of  
20 land in ways different from those used in other  
21 laws.

22 (2) PURPOSE.—The purpose of this section is  
23 to protect the wilderness values of the land des-  
24 ignated as wilderness by this title by means other  
25 than a federally reserved water right.

1           (3) STATUTORY CONSTRUCTION.—Nothing in  
2 this title—

3           (A) shall constitute or be construed to con-  
4 stitute either an express or implied reservation  
5 by the United States of any water or water  
6 rights with respect to a wilderness designated  
7 by this title;

8           (B) shall affect any water rights in the  
9 State (including any water rights held by the  
10 United States) in existence on the date of en-  
11 actment of this Act;

12          (C) shall be construed as establishing a  
13 precedent with regard to any future wilderness  
14 designations;

15          (D) shall affect the interpretation of, or  
16 any designation made pursuant to, any other  
17 Act; or

18          (E) shall be construed as limiting, altering,  
19 modifying, or amending any interstate compact  
20 or equitable apportionment decree that appor-  
21 tions water among and between the State and  
22 other States.

23          (4) NEVADA WATER LAW.—The Secretary shall  
24 follow the procedural and substantive requirements  
25 of State law in order to obtain and hold any water

1 rights not in existence on the date of enactment of  
2 this Act with respect to the wilderness areas des-  
3 ignated by this title.

4 (5) NEW PROJECTS.—

5 (A) DEFINITION OF WATER RESOURCE FA-  
6 CILITY.—In this paragraph, the term “water re-  
7 source facility”—

8 (i) means irrigation and pumping fa-  
9 cilities, reservoirs, water conservation  
10 works, aqueducts, canals, ditches, pipe-  
11 lines, wells, hydropower projects, trans-  
12 mission and other ancillary facilities, and  
13 other water diversion, storage, and car-  
14 riage structures; and

15 (ii) does not include wildlife guzzlers.

16 (B) RESTRICTION ON NEW WATER RE-  
17 SOURCE FACILITIES.—Except as otherwise pro-  
18 vided in this Act, on or after the date of enact-  
19 ment of this Act, neither the President nor any  
20 other officer, employee, or agent of the United  
21 States shall fund, assist, authorize, or issue a  
22 license or permit for the development of any  
23 new water resource facility within a wilderness  
24 area that is wholly or partially within the Coun-  
25 ty.

1 **SEC. 205. ADJACENT MANAGEMENT.**

2 (a) IN GENERAL.—Congress does not intend for the  
3 designation of wilderness in the State by this title to lead  
4 to the creation of protective perimeters or buffer zones  
5 around any such wilderness area.

6 (b) NONWILDERNESS ACTIVITIES.—The fact that  
7 nonwilderness activities or uses can be seen or heard from  
8 areas within a wilderness designated under this title shall  
9 not preclude the conduct of those activities or uses outside  
10 the boundary of the wilderness area.

11 **SEC. 206. MILITARY OVERFLIGHTS.**

12 Nothing in this title restricts or precludes—

13 (1) low-level overflights of military aircraft over  
14 the areas designated as wilderness by this title, in-  
15 cluding military overflights that can be seen or  
16 heard within the wilderness areas;

17 (2) flight testing and evaluation; or

18 (3) the designation or creation of new units of  
19 special use airspace, or the establishment of military  
20 flight training routes, over the wilderness areas.

21 **SEC. 207. NATIVE AMERICAN CULTURAL AND RELIGIOUS**  
22 **USES.**

23 Nothing in this title shall be construed to diminish—

24 (1) the rights of any Indian tribe; or

1           (2) tribal rights regarding access to Federal  
2           land for tribal activities, including spiritual, cultural,  
3           and traditional food-gathering activities.

4 **SEC. 208. RELEASE OF WILDERNESS STUDY AREAS.**

5           (a) FINDING.—Congress finds that, for the purposes  
6 of section 603 of the Federal Land Policy and Manage-  
7 ment Act of 1976 (43 U.S.C. 1782), the Bureau of Land  
8 Management land has been adequately studied for wilder-  
9 ness designation in any portion of the wilderness study  
10 areas or instant study areas—

11           (1) not designated as wilderness by section  
12 203(a), excluding the portion of the Goshute Canyon  
13 Wilderness Study Area located outside of the Coun-  
14 ty; and

15           (2) depicted as released on the maps entitled—

16                   (A) “Eastern White Pine County” and  
17                   dated August 1, 2006;

18                   (B) “Northern White Pine County” and  
19                   dated August 1, 2006;

20                   (C) “Southern White Pine County” and  
21                   dated August 1, 2006; and

22                   (D) “Western White Pine County” and  
23                   dated August 1, 2006.

24           (b) RELEASE.—

1 (1) IN GENERAL.—Any public land described in  
 2 subsection (a) that is not designated as wilderness  
 3 by this title—

4 (A) is no longer subject to section 603(c)  
 5 of the Federal Land Policy and Management  
 6 Act of 1976 (43 U.S.C. 1782(c));

7 (B) shall be managed in accordance with—

8 (i) land management plans adopted  
 9 under section 202 of that Act (43 U.S.C.  
 10 1712); and

11 (ii) cooperative conservation agree-  
 12 ments in existence on the date of enact-  
 13 ment of this Act; and

14 (C) shall be subject to the Endangered  
 15 Species Act of 1973 (16 U.S.C. 1531 et seq.).

16 (2) EXCEPTION.—The requirements described  
 17 in paragraph (1) shall not apply to the portion of  
 18 the Goshute Canyon Wilderness Study Area located  
 19 outside of the County.

20 **SEC. 209. WILDLIFE MANAGEMENT.**

21 (a) IN GENERAL.—In accordance with section  
 22 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),  
 23 nothing in this title affects the jurisdiction of the State  
 24 with respect to fish and wildlife management, including

1 the regulation of hunting, fishing, and trapping, in the wil-  
2 derness areas designated by this title.

3 (b) MANAGEMENT ACTIVITIES.—In furtherance of  
4 the purposes and principles of the Wilderness Act (16  
5 U.S.C. 1131 et seq.), the Secretary may conduct such  
6 management activities as are necessary to maintain or re-  
7 store fish and wildlife populations and habitats in the wil-  
8 derness areas designated by this title if those activities are  
9 conducted—

10 (1) consistent with relevant wilderness manage-  
11 ment plans; and

12 (2) in accordance with appropriate policies such  
13 as those set forth in Appendix B of House Report  
14 101–405.

15 (c) EXISTING ACTIVITIES.—Consistent with section  
16 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and  
17 in accordance with appropriate policies such as those set  
18 forth in Appendix B of House Report 101–405, the State  
19 may continue to use aircraft, including helicopters, to sur-  
20 vey, capture, transplant, monitor, and provide water for  
21 wildlife populations, including bighorn sheep, and feral  
22 stock, feral horses, and feral burros.

23 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—  
24 Subject to subsection (f), the Secretary shall authorize  
25 structures and facilities, including existing structures and

1 facilities, for wildlife water development projects, including  
 2 guzzlers, in the wilderness areas designated by this title  
 3 if—

4           (1) the structures and facilities will, as deter-  
 5 mined by the Secretary, enhance wilderness values  
 6 by promoting healthy, viable, and more naturally  
 7 distributed wildlife populations; and

8           (2) the visual impacts of the structures and fa-  
 9 cilities on the wilderness areas can reasonably be  
 10 minimized.

11 (e) HUNTING, FISHING, AND TRAPPING.—

12           (1) IN GENERAL.—The Secretary may des-  
 13 ignate by regulation areas in which, and establish  
 14 periods during which, for reasons of public safety,  
 15 administration, or compliance with applicable laws,  
 16 no hunting, fishing, or trapping will be permitted in  
 17 the wilderness areas designated by this title.

18           (2) CONSULTATION.—Except in emergencies,  
 19 the Secretary shall consult with the appropriate  
 20 State agency before promulgating regulations under  
 21 paragraph (1).

22 (f) COOPERATIVE AGREEMENT.—

23           (1) IN GENERAL.—The State (including a des-  
 24 ignee of the State) may conduct wildlife manage-

1       ment activities in the wilderness areas designated by  
2       this title—

3               (A) in accordance with the terms and con-  
4               ditions specified in the cooperative agreement  
5               between the Secretary and the State, entitled  
6               “Memorandum of Understanding between the  
7               Bureau of Land Management and the Nevada  
8               Department of Wildlife Supplement No. 9,” and  
9               signed November and December 2003, includ-  
10              ing any amendments to the cooperative agree-  
11              ment agreed to by the Secretary and the State;  
12              and

13             (B) subject to all applicable laws and regu-  
14             lations.

15       (2) REFERENCES.—

16             (A) CLARK COUNTY.—For purposes of this  
17             subsection, any references to Clark County in  
18             the cooperative agreement described in para-  
19             graph (1)(A) shall be considered to be ref-  
20             erences to White Pine County, Nevada.

21             (B) BUREAU OF LAND MANAGEMENT.—  
22             For purposes of this subsection, any references  
23             to the Bureau of Land Management in the co-  
24             operative agreement described in paragraph

1           (1)(A) shall also be considered to be references  
2           to the Forest Service.

3 **SEC. 210. WILDFIRE MANAGEMENT.**

4           Consistent with section 4 of the Wilderness Act (16  
5 U.S.C. 1133), nothing in this title precludes a Federal,  
6 State, or local agency from conducting any wildfire man-  
7 agement operations (including operations using aircraft or  
8 mechanized equipment) to manage wildfires in the wilder-  
9 ness areas designated by this title.

10 **SEC. 211. CLIMATOLOGICAL DATA COLLECTION.**

11           Subject to such terms and conditions as the Secretary  
12 may prescribe, nothing in this title precludes the installa-  
13 tion and maintenance of hydrologic, meteorologic, or cli-  
14 matological collection devices in the wilderness areas des-  
15 ignated by this title if the facilities and access to the facili-  
16 ties are essential to flood warning, flood control, and water  
17 reservoir operation activities.

18           **TITLE III—TRANSFERS OF**  
19 **ADMINISTRATIVE JURISDICTION**

20 **SEC. 301. TRANSFER TO THE UNITED STATES FISH AND**  
21 **WILDLIFE SERVICE.**

22           (a) IN GENERAL.—Administrative jurisdiction over  
23 the land described in subsection (b) is transferred from  
24 the Bureau of Land Management to the United States

1 Fish and Wildlife Service for inclusion in the Ruby Lake  
2 National Wildlife Refuge.

3 (b) DESCRIPTION OF LAND.—The parcel of land re-  
4 ferred to in subsection (a) is approximately 645 acres of  
5 land administered by the Bureau of Land Management  
6 and identified on the map entitled “Ruby Lake Land  
7 Transfer” and dated July 10, 2006, as “Lands to be  
8 transferred to the Fish and Wildlife Service”.

9 **SEC. 302. TRANSFER TO THE BUREAU OF LAND MANAGE-**  
10 **MENT.**

11 (a) IN GENERAL.—Subject to subsection (c), admin-  
12 istrative jurisdiction over the parcels of land described in  
13 subsection (b) is transferred from the Forest Service to  
14 the Bureau of Land Management.

15 (b) DESCRIPTION OF LAND.—The parcels of land re-  
16 ferred to in subsection (a) are—

17 (1) the land administered by the Forest Service  
18 and identified on the map entitled “Southern White  
19 Pine County” and dated August 1, 2006, as “With-  
20 drawal Area”;

21 (2) the land administered by the Forest Service  
22 and identified on the map entitled “Southern White  
23 Pine County” and dated August 1, 2006, as “High-  
24 land Ridge Wilderness Area”; and

1           (3) all other Federal land administered by the  
2       Forest Service that is located adjacent to the High-  
3       land Ridge Wilderness Area.

4       (c) CONTINUATION OF COOPERATIVE AGREE-  
5       MENTS.—Any existing Forest Service cooperative agree-  
6       ment or permit in effect on the date of enactment of this  
7       Act relating to a parcel of land to which administrative  
8       jurisdiction is transferred by subsection (a) shall be con-  
9       tinued by the Bureau of Land Management unless there  
10      is reasonable cause to terminate the agreement or permit,  
11      as determined by the Secretary.

12      (d) WITHDRAWAL.—Subject to valid existing rights,  
13      all Federal land within the Withdrawal Area is withdrawn  
14      from all forms of—

15           (1) entry, appropriation, or disposal under the  
16      public land laws;

17           (2) location, entry, and patent under the mining  
18      laws; and

19           (3) operation of the mineral laws, geothermal  
20      leasing laws, and mineral materials laws.

21      (e) MOTORIZED AND MECHANICAL VEHICLES.—Use  
22      of motorized and mechanical vehicles in the withdrawal  
23      area designated by this title shall be permitted only on  
24      roads and trails designated for their use, unless the use  
25      of those vehicles is needed—

1 (1) for administrative purposes; or

2 (2) to respond to an emergency.

3 **SEC. 303. AVAILABILITY OF MAP AND LEGAL DESCRIP-**  
4 **TIONS.**

5 The maps of the land transferred by this title shall  
6 be on file and available for public inspection in—

7 (1) the Office of the Director of the Bureau of  
8 Land Management;

9 (2) the Office of the Nevada State Director of  
10 the Bureau of Land Management;

11 (3) the Ely Field Station of the Bureau of  
12 Land Management;

13 (4) the Office of the Director of the United  
14 States Fish and Wildlife Service;

15 (5) the Office of the Ruby Lake National Wild-  
16 life Refuge;

17 (6) the Office of the Director of the National  
18 Park Service;

19 (7) the Great Basin National Park Office;

20 (8) the Office of the Chief of the Forest Serv-  
21 ice;

22 (9) the Office of the Regional Forester, Region  
23 4;

24 (10) the Office of the Forest Supervisor of the  
25 Humboldt-Toiyabe National Forest; and

1 (11) the Ely Ranger District Office of the For-  
2 est Service.

## 3 **TITLE IV—PUBLIC** 4 **CONVEYANCES**

### 5 **SEC. 401. CONVEYANCE TO THE STATE OF NEVADA.**

6 (a) CONVEYANCE.—Notwithstanding section 202 of  
7 the Federal Land Policy and Management Act of 1976  
8 (43 U.S.C. 1712), the Secretary shall convey to the State,  
9 subject to valid existing rights, for no consideration, all  
10 right, title, and interest of the United States in and to  
11 the parcels of land described in subsection (b) if the State  
12 and the County enter into a written agreement supporting  
13 the conveyance.

14 (b) DESCRIPTION OF LAND.—The parcels of land re-  
15 ferred to in subsection (a) are—

16 (1) the approximately 6,281 acres of Bureau of  
17 Land Management land identified as “Steptoe Val-  
18 ley Wildlife Management Area Expansion Proposal”  
19 on the map entitled “Ely, Nevada Area” and dated  
20 August 1, 2006;

21 (2) the approximately 658 acres of Bureau of  
22 Land Management land identified as “Ward Char-  
23 coal Ovens Expansion” on the map entitled “Ely,  
24 Nevada Area” and dated August 1, 2006; and

1           (3) the approximately [\_\_\_\_\_] acres of  
2       Forest Service and approximately [\_\_\_\_\_] acres  
3       of Bureau of Land Management land for expansion  
4       of Cave Lake State Park.

5       (c) COSTS.—Any costs relating to a conveyance under  
6       subsection (a), including costs for surveys and other ad-  
7       ministrative costs, shall be paid by the State.

8       (d) USE OF LAND.—

9           (1) IN GENERAL.—Any parcel of land conveyed  
10       to the State under subsection (a) shall be used only  
11       for—

12               (A) the conservation of wildlife or natural  
13       resources; or

14               (B) a public park.

15       (2) FACILITIES.—Any facility on a parcel of  
16       land conveyed under subsection (a) shall be con-  
17       structed and managed in a manner consistent with  
18       the uses described in paragraph (1).

19       (e) REVERSION.—If a parcel of land conveyed under  
20       subsection (a) is used in a manner that is inconsistent  
21       with the uses described in subsection (d), the parcel of  
22       land shall, at the discretion of the Secretary, revert to the  
23       United States.

1 **SEC. 402. CONVEYANCE TO WHITE PINE COUNTY, NEVADA.**

2 (a) IN GENERAL.—Notwithstanding section 202 of  
3 the Federal Land Policy and Management Act of 1976  
4 (43 U.S.C. 1712), the Secretary shall convey to the Coun-  
5 ty, without consideration, all right, title, and interest of  
6 the United States in and to the parcels of land described  
7 in subsection (b).

8 (b) DESCRIPTION OF LAND.—The parcels of land re-  
9 ferred to in subsection (a) are—

10 (1) not more than 1,500 acres of land to be  
11 used for the expansion of the White Pine County  
12 Airport; and

13 (2) not more than 200 acres of land to be used  
14 for the expansion of the White Pine County Indus-  
15 trial Park.

16 (c) USE OF CERTAIN LAND FOR NONRESIDENTIAL  
17 DEVELOPMENT.—

18 (1) IN GENERAL.—After conveyance to the  
19 County of the land described in subsection (b), the  
20 County may sell, lease, or otherwise convey any por-  
21 tion of the land conveyed for purposes of nonresiden-  
22 tial development.

23 (2) METHOD OF SALE.—The sale, lease, or con-  
24 veyance of land under paragraph (1) shall be—

25 (A) through a competitive bidding process;  
26 and

1 (B) for not less than fair market value.

2 (3) DISPOSITION OF PROCEEDS.—The gross  
3 proceeds from the sale, lease, or conveyance of land  
4 under paragraph (1) shall be distributed in accord-  
5 ance with section 102.

6 (d) REVERSION.—If a parcel of land conveyed under  
7 subsection (a) is used in a manner that is inconsistent  
8 with the use described for the parcel in paragraph (1) or  
9 (2) of subsection (b), the parcel of land shall, at the discre-  
10 tion of the Secretary, revert to the United States.

## 11 **TITLE V—SILVER STATE OFF-** 12 **HIGHWAY VEHICLE TRAIL**

### 13 **SEC. 501. SILVER STATE OFF-HIGHWAY VEHICLE TRAIL.**

14 (a) STUDY.—

15 (1) IN GENERAL.—Not later than 3 years after  
16 the date of enactment of this Act, the Secretary  
17 shall complete a study of routes for the Silver State  
18 Off-Highway Vehicle Trail (referred to in this sec-  
19 tion as the “Trail”).

20 (2) PREFERRED ROUTE.—Based on the study  
21 conducted under paragraph (1), the Secretary, in  
22 consultation with the State, the County, and any in-  
23 terested persons, shall identify the preferred route  
24 for the Trail.

25 (b) DESIGNATION OF TRAIL.—

1           (1) IN GENERAL.—Subject to paragraph (2),  
 2           not later than 90 days after the date on which the  
 3           study is completed under subsection (a), the Sec-  
 4           retary shall designate the Trail.

5           (2) LIMITATIONS.—The Secretary shall des-  
 6           ignate the Trail only if the Secretary—

7                   (A) determines that the route of the Trail  
 8                   would not have significant negative impacts on  
 9                   wildlife, natural, or cultural resources; and

10                  (B) ensures that the Trail designation—

11                           (i) is an effort to extend the Silver  
 12                           State Off-Highway Vehicle Trail des-  
 13                           ignated under section 401(b) of the Lin-  
 14                           coln County Conservation, Recreation, and  
 15                           Development Act of 2004 (16 U.S.C. 1244  
 16                           note; Public Law 108–424); and

17                           (ii) is limited to—

18                                   (I) 1 route that generally runs in  
 19                                   a north-south direction; and

20                                   (II) 1 potential spur running  
 21                                   west.

22           (c) MANAGEMENT.—

23                   (1) IN GENERAL.—The Secretary shall manage  
 24                   the Trail in a manner that—

1 (A) is consistent with any motorized and  
2 mechanized uses of the Trail that are author-  
3 ized on the date of enactment of this Act under  
4 applicable Federal and State laws (including  
5 regulations);

6 (B) ensures the safety of the individuals  
7 who use the Trail; and

8 (C) does not damage sensitive wildlife  
9 habitat, natural, or cultural resources.

10 (2) MANAGEMENT PLAN.—

11 (A) IN GENERAL.—Not later than 2 years  
12 after the date of designation of the Trail, the  
13 Secretary, in consultation with the State, the  
14 County, and any other interested persons, shall  
15 complete a management plan for the Trail.

16 (B) COMPONENTS.—The management plan  
17 shall—

18 (i) describe the appropriate uses and  
19 management of the Trail;

20 (ii) authorize the use of motorized and  
21 mechanized vehicles on the Trail; and

22 (iii) describe actions carried out to pe-  
23 riodically evaluate and manage the appro-  
24 priate levels of use and location of the  
25 Trail to minimize environmental impacts

1                   and prevent damage to cultural resources  
2                   from the use of the Trail.

3           (3) MONITORING AND EVALUATION.—

4                   (A) ANNUAL ASSESSMENT.—The Secretary  
5                   shall annually assess—

6                           (i) the effects of the use of off-high-  
7                           way vehicles on the Trail to minimize envi-  
8                           ronmental impacts and prevent damage to  
9                           cultural resources from the use of the  
10                          Trail; and

11                           (ii) in consultation with the Nevada  
12                          Department of Wildlife, the effects of the  
13                          Trail on wildlife and wildlife habitat to  
14                          minimize environmental impacts from the  
15                          use of the Trail.

16                   (B) CLOSURE.—The Secretary, in con-  
17                   sultation with the State and the County and  
18                   subject to subparagraph (C), may temporarily  
19                   close or permanently reroute a portion of the  
20                   Trail if the Secretary determines that—

21                           (i) the Trail is having an adverse im-  
22                           pact on—

23                                   (I) wildlife habitats;

24                                   (II) natural resources; or

25                                   (III) cultural resources;

1 (ii) the Trail threatens public safety;

2 (iii) closure of the Trail is necessary

3 to repair damage to the Trail; or

4 (iv) closure of the Trail is necessary

5 to repair resource damage.

6 (C) REROUTING.—Any portion of the Trail  
7 that is temporarily closed may be permanently  
8 rerouted along existing roads and trails on pub-  
9 lic land open to motorized use if the Secretary  
10 determines that rerouting the portion of the  
11 Trail would not significantly increase or de-  
12 crease the length of the Trail.

13 (D) NOTICE.—The Secretary shall provide  
14 information to the public with respect to any  
15 routes on the Trail that are closed under sub-  
16 paragraph (B), including through the provision  
17 of appropriate signage along the Trail.

18 (4) NOTICE OF OPEN ROUTES.—The Secretary  
19 shall ensure that visitors to the Trail have access to  
20 adequate notice relating to the routes on the Trail  
21 that are open through—

22 (A) the provision of appropriate signage  
23 along the Trail; and

24 (B) the distribution of maps, safety edu-  
25 cation materials, and any other information

1           that the Secretary determines to be appro-  
2           priate.

3           (d) NO EFFECT ON NON-FEDERAL LAND AND IN-  
4   TERESTS IN LAND.—Nothing in this section affects the  
5   ownership or management of, or other rights relating to,  
6   non-Federal land or interests in non-Federal land.

7   **TITLE VI—TRANSFER OF LAND**  
8   **TO BE HELD IN TRUST FOR**  
9   **THE ELY SHOSHONE TRIBE.**

10 **SEC. 601. TRANSFER OF LAND TO BE HELD IN TRUST FOR**  
11 **THE ELY SHOSHONE TRIBE.**

12       (a) IN GENERAL.—Subject to valid existing rights,  
13 all right, title, and interest of the United States in and  
14 to the land described in subsection (b), including any im-  
15 provements on, and appurtenances to, the land—

16           (1) shall be held in trust by the United States  
17       for the benefit of the Ely Shoshone Tribe (referred  
18       to in this section as the “Tribe”); and

19           (2) shall be part of the reservation of the Tribe.

20       (b) DESCRIPTION OF LAND.—The land referred to in  
21 subsection (a) consists of the 4 parcels of a total of ap-  
22 proximately 3,536 acres of land that are identified on the  
23 Ely, Nevada Area map dated August 1, 2006, and the  
24 Northern White Pine County map dated August 1, 2006,  
25 as the “Ely Shoshone Tribe Reservation”.

1       (c) SURVEY.—Not later than 180 days after the date  
2 of enactment of this Act, the Bureau of Land Manage-  
3 ment shall complete a survey of the boundary lines to es-  
4 tablish the boundaries of the trust land.

5       (d) CONDITIONS.—

6           (1) GAMING.—Land taken into trust under sub-  
7 section (a) shall not be—

8               (A) considered to have been taken into  
9 trust for gaming (as that term is used in the  
10 Indian Gaming Regulatory Act (25 U.S.C.  
11 2701 et seq.)); and

12               (B) used for gaming.

13           (2) TRUST LAND FOR CEREMONIAL USE.—With  
14 respect to the use of the land identified on the map  
15 as “Ely Shoshone Tribe Reservation Parcel #3”, the  
16 Tribe—

17               (A) shall limit the use of the surface of the  
18 land to traditional and customary uses and  
19 stewardship conservation for the benefit of the  
20 Tribe; and

21               (B) shall not permit any permanent resi-  
22 dential or recreational development on, or com-  
23 mercial use of, the surface of the land, includ-  
24 ing commercial development or gaming.

1           (3) THINNING; LANDSCAPE RESTORATION.—  
 2       With respect to land taken into trust under sub-  
 3       section (a), the Forest Service and the Bureau of  
 4       Land Management may, in consultation and coordi-  
 5       nation with the Tribe, carry out any thinning and  
 6       other landscape restoration work on the trust land  
 7       that is beneficial to the Tribe and the Forest Service  
 8       or the Bureau of Land Management.

9       **TITLE VII—EASTERN NEVADA**  
 10       **LANDSCAPE RESTORATION**  
 11       **PROJECT.**

12       **SEC. 701. FINDINGS; PURPOSES.**

13       (a) FINDINGS.—Congress finds that—

14           (1) there is an increasing threat of wildfire in  
 15       the Great Basin;

16           (2) those wildfires—

17               (A) endanger homes and communities;

18               (B) damage or destroy watersheds and  
 19       soils; and

20               (C) pose a serious threat to the habitat of  
 21       threatened and endangered species;

22           (3) forest land and rangeland in the Great  
 23       Basin are degraded as a direct consequence of land  
 24       management practices (including practices to control  
 25       and prevent wildfires) that disrupt the occurrence of

1 frequent low-intensity fires that have periodically re-  
 2 moved flammable undergrowth; and

3 (4) rigorous, understandable, and applied sci-  
 4 entific information is needed in the Great Basin  
 5 for—

6 (A) the design, implementation, and adap-  
 7 tation of landscape-scale restoration treatments;  
 8 and

9 (B) the improvement of wildfire manage-  
 10 ment technology and practices.

11 (b) PURPOSES.—The purposes of this title are to—

12 (1) support the Great Basin Restoration Initia-  
 13 tive through the implementation of the Eastern Ne-  
 14 vada Landscape Restoration Project; and

15 (2) ensure resilient and healthy ecosystems in  
 16 the Great Basin by restoring native plant commu-  
 17 nities and natural mosaics on the landscape that  
 18 function within the parameters of natural fire re-  
 19 gimes.

20 **SEC. 702. DEFINITIONS.**

21 In this title:

22 (1) INITIATIVE.—The term “Initiative” means  
 23 the Great Basin Restoration Initiative.

1           (2) PROJECT.—The term “Project” means the  
2           Eastern Nevada Landscape Restoration Project au-  
3           thorized under section 703(a).

4           (3) SECRETARIES.—The term “Secretaries”  
5           means the Secretary of Agriculture and the Sec-  
6           retary of the Interior.

7           (4) STATE.—The term “State” means the State  
8           of Nevada.

9   **SEC. 703. RESTORATION PROJECT.**

10          (a) IN GENERAL.—In accordance with all applicable  
11          Federal laws, the Secretaries shall carry out the Eastern  
12          Nevada Landscape Restoration Project to—

13               (1) implement the Initiative; and

14               (2) restore native rangelands and native wood-  
15          land (including riparian and aspen communities) in  
16          White Pine and Lincoln Counties in the State.

17          (b) GRANTS; COOPERATIVE AGREEMENT.—In car-  
18          rying out the Project—

19               (1) the Secretaries may make grants to the  
20          Eastern Nevada Landscape Coalition and the Great  
21          Basin Institute for the study and restoration of  
22          rangeland and other land in the Great Basin—

23                       (A) to assist in—

24                               (i) reducing hazardous fuels; and

1 (ii) restoring native rangeland and  
2 woodland; and

3 (B) for other related purposes; and

4 (2) notwithstanding sections 6301 through  
5 6308, of title 31, United States Code, the Director  
6 of the Bureau of Land Management may enter into  
7 a cooperative agreement with the Eastern Nevada  
8 Landscape Coalition and the Great Basin Institute  
9 to provide for the conduct of scientific analyses, haz-  
10 ardous fuels and mechanical treatments, and related  
11 work.

12 (c) RESEARCH FACILITY.—The Secretaries may con-  
13 duct a feasibility study on the potential establishment of  
14 an interagency science center, including a research facility  
15 and experimental rangeland in the eastern portion of the  
16 State.

17 (d) FUNDING.—Section 4(e)(3)(A) of the Southern  
18 Nevada Public Land Management Act of 1998 (Public  
19 Law 105–263; 112 Stat. 2346; 116 Stat. 2007; 118 Stat.  
20 2414) is amended—

21 (1) by redesignating clause (viii) as clause (ix);  
22 and

23 (2) by inserting after clause (vii) the following:

24 “(viii) to carry out the Eastern Ne-  
25 vada Landscape Restoration Project in

1 White Pine County, Nevada and Lincoln  
 2 County, Nevada; and”.

3 **TITLE VIII—AMENDMENTS TO**  
 4 **THE SOUTHERN NEVADA PUB-**  
 5 **LIC LAND MANAGEMENT ACT**  
 6 **OF 1998**

7 **SEC. 801. FINDINGS.**

8 Section 2(a)(3) of the Southern Nevada Public Land  
 9 Management Act of 1998 (Public Law 105–263; 112 Stat.  
 10 2343) is amended by inserting “the Sloan Canyon Na-  
 11 tional Conservation Area,” before “and the Spring Moun-  
 12 tains”.

13 **SEC. 802. DEFINITIONS.**

14 Section 3(6) of the Southern Nevada Public Land  
 15 Management Act of 1998 (Public Law 105–263; 112 Stat.  
 16 2344) is amended by inserting “the Clean Water Coali-  
 17 tion,” before “and the Clark County Sanitation District”.

18 **SEC. 803. AVAILABILITY OF SPECIAL ACCOUNT.**

19 Section 4(e) of the Southern Nevada Public Land  
 20 Management Act of 1998 (Public Law 105–263; 112 Stat.  
 21 2346; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414)  
 22 is amended—

23 (1) in paragraph (3)—

24 (A) in subparagraph (A)—

1 (i) by striking “may be expended”  
 2 and inserting “shall be expended”;

3 (ii) in clause (iii), by inserting “and  
 4 implementation” before “of a multispecies  
 5 habitat”;

6 (iii) in clause (iv), by inserting  
 7 “Washoe County (subject to paragraph  
 8 (4)) and” before “Lincoln County”;

9 (iv) in clause (vii)—

10 (I) by striking “for development”  
 11 and inserting “development”; and

12 (II) by striking “and” at the end;

13 (v) by redesignating clauses (viii) and  
 14 (ix) (as amended by section 703(d)) as  
 15 clauses (xii) and (xiii);

16 (vi) by inserting after clause (vii) the  
 17 following:

18 “(viii) reimbursement of any costs in-  
 19 curred by the Bureau of Land Manage-  
 20 ment or any other Federal agency to clear  
 21 and protect land that is—

22 “(I) located in the disposal  
 23 boundary described in subsection (a);  
 24 and

1 “(II) designated for sale, lease,  
2 conveyance, or disposal;

3 “(ix) development and implementation  
4 of a comprehensive, cost-effective, multi-  
5 jurisdictional hazardous fuels reduction  
6 and wildfire prevention plan (including  
7 sustainable biomass and biofuels energy  
8 development and production activities) for  
9 the Lake Tahoe Basin (including the Car-  
10 son Range in Douglas and Washoe Coun-  
11 ties and Carson City in the State of Ne-  
12 vada), and the Spring Mountains, in the  
13 State of Nevada, that are—

14 “(I) subject to approval by the  
15 Secretary of Agriculture or Secretary  
16 of Interior, as appropriate; and

17 “(II) not more than 10 years in  
18 duration;

19 “(x) payments to a regional govern-  
20 mental entity in Clark County, Nevada, for  
21 an established program to compensate pub-  
22 lic institutions for the permanent removal  
23 of turf and other vegetation to expand  
24 water conservation;

“(xi) payments to a regional governmental entity in Clark County, Nevada, for water quality improvements relating to the Las Vegas Wash, Las Vegas Bay, and Lake Mead through management of wastewater effluent in the Las Vegas Valley known as the ‘Systems Conveyance and Operations Program’; and”;

(vii) in clause (xii) (as redesignated by clause (v)), striking “and” at the end;

(viii) in clause (xiii) (as redesignated by clause (v))—

(I) by inserting “or other Federal agencies” before “in arranging”; and

(II) by striking the period at the end and inserting “; and”; and

(ix) by adding at the end the following:

“(xiv) development of any park administered by the State of Nevada in Clark County.”; and

(B) by inserting after subparagraph (C) the following:

“(D) TRANSFER REQUIREMENT.—Notwithstanding any other provision of law—

1 “(i) for amounts that have been au-  
 2 thorized for expenditure under subpara-  
 3 graph (A)(iv) but not transferred as of the  
 4 date of enactment of this subparagraph,  
 5 the Secretary shall, not later than 60 days  
 6 after a request for funds from the applica-  
 7 ble unit of local government or regional  
 8 governmental entity, transfer to the appli-  
 9 cable unit of local government or regional  
 10 governmental entity the amount authorized  
 11 for the expenditure; and

12 “(ii) for expenditures authorized  
 13 under subparagraph (A)(iv) that are ap-  
 14 proved by the Secretary, the Secretary  
 15 shall, not later than 60 days after a re-  
 16 quest for funds from the applicable unit of  
 17 local government or regional governmental  
 18 entity, transfer to the applicable unit of  
 19 local government or regional governmental  
 20 entity the amount approved for expendi-  
 21 ture.”; and

22 (2) by adding at the end the following:

23 “(4) LIMITATION FOR WASHOE COUNTY.—Until  
 24 December 31, 2011, Washoe County shall be eligible  
 25 to nominate for expenditure amounts to acquire land

1 (not to exceed 250 acres) and develop 1 regional  
 2 park and natural area.”.

3 **SEC. 804. AFFORDABLE HOUSING.**

4 Section 7 of the Southern Nevada Public Land Man-  
 5 agement Act of 1998 (Public Law 105–263; 112 Stat.  
 6 2349) is amended by striking subsection (b) and inserting  
 7 the following:

8 “(b) AFFORDABLE HOUSING.—

9 “(1) DEFINITION OF AFFORDABLE HOUSING.—

10 In this subsection, the term ‘affordable housing’  
 11 means housing that serves individuals or families  
 12 with an income of not more than 120 percent of the  
 13 median income, as determined by the Secretary of  
 14 Housing and Urban Development.

15 “(2) HOUSING.—

16 “(A) IN GENERAL.—In accordance with  
 17 section 203 of the Federal Land Policy and  
 18 Management Act of 1976 (43 U.S.C. 1713), the  
 19 Secretary shall make available for affordable  
 20 housing purposes land in the State of Nevada—

21 “(i) for less than fair market value;

22 and

23 “(ii) under any terms and conditions  
 24 that the Secretary determines to be appro-  
 25 priate.

1           “(B) GUIDELINES.—Not later than 1 year  
 2           after the date of enactment of this subsection,  
 3           the Secretary shall publish or issue guidelines  
 4           to carry out this paragraph.

5           “(3) RESERVATION FOR AFFORDABLE HOUS-  
 6           ING.—

7           “(A) IN GENERAL.—If any sale of land  
 8           under section 4(a) involves more than 200  
 9           acres, at least 5 percent of the total housing  
 10          units on the land conveyed shall be developed  
 11          for affordable housing.

12          “(B) CITY AND COUNTY REQUIRE-  
 13          MENTS.—

14          “(i) IN GENERAL.—Not later than  
 15          120 days before the date of a sale of land  
 16          described in subparagraph (A), the appli-  
 17          cable unit of local government shall publish  
 18          rules for the implementation of the afford-  
 19          able housing to be developed on the land.

20          “(ii) DISPERSAL OF HOUSING.—The  
 21          applicable unit of local government shall,  
 22          to the maximum extent practicable, en-  
 23          courage mixed income development when  
 24          publishing rules under clause (i) through-  
 25          out each housing project.

1 “(4) ENFORCEMENT.—

2 “(A) IN GENERAL.—Subject to subpara-  
3 graph (B), from the date on which a transfer  
4 of land is complete under section 4(a), the Sec-  
5 retary of Housing and Urban Development  
6 shall enforce each requirement of this section.

7 “(B) ALTERNATIVE ENFORCEMENT AR-  
8 RANGEMENT.—The Secretary of Housing and  
9 Urban Development and the applicable unit of  
10 local government may agree to an alternative  
11 enforcement arrangement.”.

## 12 **TITLE IX—GREAT BASIN** 13 **HERITAGE ROUTE**

### 14 **SEC. 901. SHORT TITLE.**

15 This title may be cited as the “Great Basin National  
16 Heritage Route Act”.

### 17 **SEC. 902. FINDINGS AND PURPOSES.**

18 (a) FINDINGS.—Congress finds that—

19 (1) the natural, cultural, and historic heritage  
20 of the North American Great Basin is nationally sig-  
21 nificant;

22 (2) communities along the Great Basin Herit-  
23 age Route (including the towns of Delta, Utah, Ely,  
24 Nevada, and the surrounding communities) are lo-  
25 cated in a classic western landscape that contains

1 long natural vistas, isolated high desert valleys,  
 2 mountain ranges, ranches, mines, historic railroads,  
 3 archaeological sites, and tribal communities;

4 (3) the Native American, pioneer, ranching,  
 5 mining, timber, and railroad heritages associated  
 6 with the Great Basin Heritage Route include the so-  
 7 cial history and living cultural traditions of a rich di-  
 8 versity of nationalities;

9 (4) the pioneer, Mormon, and other religious  
 10 settlements, and ranching, timber, and mining ac-  
 11 tivities of the region played and continue to play a  
 12 significant role in the development of the United  
 13 States, shaped by—

14 (A) the unique geography of the Great  
 15 Basin;

16 (B) an influx of people of Greek, Chinese,  
 17 Basque, Serb, Croat, Italian, and Hispanic de-  
 18 scent; and

19 (C) a Native American presence (Western  
 20 Shoshone, Northern and Southern Paiute, and  
 21 Goshute) that continues in the Great Basin  
 22 today;

23 (5) the Great Basin housed internment camps  
 24 for Japanese-American citizens during World War

1 II, 1 of which, Topaz, was located along the Herit-  
2 age Route;

3 (6) the pioneer heritage of the Heritage Route  
4 includes the Pony Express route and stations, the  
5 Overland Stage, and many examples of 19th century  
6 exploration of the western United States;

7 (7) the Native American heritage of the Herit-  
8 age Route dates back thousands of years and in-  
9 cludes—

10 (A) archaeological sites;

11 (B) petroglyphs and pictographs;

12 (C) the westernmost village of the Fremont  
13 culture; and

14 (D) communities of Western Shoshone,  
15 Paiute, and Goshute tribes;

16 (8) the Heritage Route contains multiple bio-  
17 logically diverse ecological communities that are  
18 home to exceptional species such as—

19 (A) bristlecone pines, the oldest living trees  
20 in the world;

21 (B) wildlife adapted to harsh desert condi-  
22 tions;

23 (C) unique plant communities, lakes, and  
24 streams; and

25 (D) native Bonneville cutthroat trout;

1           (9) the air and water quality of the Heritage  
2     Route is among the best in the United States, and  
3     the clear air permits outstanding viewing of the  
4     night skies;

5           (10) the Heritage Route includes unique and  
6     outstanding geologic features such as numerous  
7     limestone caves, classic basin and range topography  
8     with playa lakes, alluvial fans, volcanics, cold and  
9     hot springs, and recognizable features of ancient  
10    Lake Bonneville;

11          (11) the Heritage Route includes an unusual  
12    variety of open space and recreational and edu-  
13    cational opportunities because of the great quantity  
14    of ranching activity and public land (including city,  
15    county, and State parks, national forests, Bureau of  
16    Land Management land, and a national park);

17          (12) there are significant archaeological, histor-  
18    ical, cultural, natural, scenic, and recreational re-  
19    sources in the Great Basin to merit the involvement  
20    of the Federal Government in the development, in  
21    cooperation with the Great Basin Heritage Route  
22    Partnership and other local and governmental enti-  
23    ties, of programs and projects to—

1           (A) adequately conserve, protect, and in-  
2           terpret the heritage of the Great Basin for  
3           present and future generations; and

4           (B) provide opportunities in the Great  
5           Basin for education; and

6           (13) the Great Basin Heritage Route Partner-  
7           ship shall serve as the local coordinating entity for  
8           a Heritage Route established in the Great Basin.

9           (b) PURPOSES.—The purposes of this title are—

10           (1) to foster a close working relationship with  
11           all levels of government, the private sector, and the  
12           local communities within White Pine County, Ne-  
13           vada, Millard County, Utah, and the Duckwater  
14           Shoshone Reservation;

15           (2) to enable communities referred to in para-  
16           graph (1) to conserve their heritage while continuing  
17           to develop economic opportunities; and

18           (3) to conserve, interpret, and develop the ar-  
19           chaeological, historical, cultural, natural, scenic, and  
20           recreational resources related to the unique ranch-  
21           ing, industrial, and cultural heritage of the Great  
22           Basin, in a manner that promotes multiple uses per-  
23           mitted as of the date of enactment of this Act, with-  
24           out managing or regulating land use.

1 **SEC. 903. DEFINITIONS.**

2 In this title:

3 (1) GREAT BASIN.—The term “Great Basin”  
4 means the North American Great Basin.

5 (2) HERITAGE ROUTE.—The term “Heritage  
6 Route” means the Great Basin National Heritage  
7 Route established by section 904(a).

8 (3) LOCAL COORDINATING ENTITY.—The term  
9 “local coordinating entity” means the Great Basin  
10 Heritage Route Partnership established by section  
11 904(c).

12 (4) MANAGEMENT PLAN.—The term “manage-  
13 ment plan” means the plan developed by the local  
14 coordinating entity under section 906(a).

15 (5) SECRETARY.—The term “Secretary” means  
16 the Secretary of the Interior, acting through the Di-  
17 rector of the National Park Service.

18 **SEC. 904. GREAT BASIN NATIONAL HERITAGE ROUTE.**

19 (a) ESTABLISHMENT.—There is established the  
20 Great Basin National Heritage Route to provide the public  
21 with access to certain historical, cultural, natural, scenic,  
22 and recreational resources in White Pine County, Nevada,  
23 Millard County, Utah, and the Duckwater Shoshone Res-  
24 ervation in the State of Nevada, as designated by the local  
25 coordinating entity.

1 (b) BOUNDARIES.—The local coordinating entity  
 2 shall determine the specific boundaries of the Heritage  
 3 Route.

4 (c) LOCAL COORDINATING ENTITY.—

5 (1) IN GENERAL.—The Great Basin Heritage  
 6 Route Partnership shall serve as the local coordi-  
 7 nating entity for the Heritage Route.

8 (2) BOARD OF DIRECTORS.—The Great Basin  
 9 Heritage Route Partnership shall be governed by a  
 10 board of directors that consists of—

11 (A) 4 members who are appointed by the  
 12 Board of County Commissioners for Millard  
 13 County, Utah;

14 (B) 4 members who are appointed by the  
 15 Board of County Commissioners for White Pine  
 16 County, Nevada; and

17 (C) a representative appointed by each Na-  
 18 tive American Tribe participating in the Herit-  
 19 age Route.

20 **SEC. 905. MEMORANDUM OF UNDERSTANDING.**

21 (a) IN GENERAL.—In carrying out this title, the Sec-  
 22 retary, in consultation with the Governors of the States  
 23 of Nevada and Utah and the tribal government of each  
 24 Indian tribe participating in the Heritage Route, shall

1 enter into a memorandum of understanding with the local  
2 coordinating entity.

3 (b) INCLUSIONS.—The memorandum of under-  
4 standing shall include information relating to the objec-  
5 tives and management of the Heritage Route, including—

6 (1) a description of the resources of the Herit-  
7 age Route;

8 (2) a discussion of the goals and objectives of  
9 the Heritage Route, including—

10 (A) an explanation of the proposed ap-  
11 proach to conservation, development, and inter-  
12 pretation; and

13 (B) a general outline of the anticipated  
14 protection and development measures;

15 (3) a description of the local coordinating enti-  
16 ty;

17 (4) a list and statement of the financial com-  
18 mitment of the initial partners to be involved in de-  
19 veloping and implementing the management plan;  
20 and

21 (5) a description of the role of the States of Ne-  
22 vada and Utah in the management of the Heritage  
23 Route.

1 (c) ADDITIONAL REQUIREMENTS.—In developing the  
2 terms of the memorandum of understanding, the Sec-  
3 retary and the local coordinating entity shall—

4 (1) provide opportunities for local participation;  
5 and

6 (2) include terms that ensure, to the maximum  
7 extent practicable, timely implementation of all as-  
8 pects of the memorandum of understanding.

9 (d) AMENDMENTS.—

10 (1) IN GENERAL.—The Secretary shall review  
11 any amendments of the memorandum of under-  
12 standing proposed by the local coordinating entity or  
13 the Governor of the State of Nevada or Utah.

14 (2) USE OF FUNDS.—Funds made available  
15 under this title shall not be expended to implement  
16 a change made by a proposed amendment described  
17 in paragraph (1) until the Secretary approves the  
18 amendment.

19 **SEC. 906. MANAGEMENT PLAN.**

20 (a) IN GENERAL.—Not later than 3 years after the  
21 date on which funds are made available to carry out this  
22 title, the local coordinating entity shall develop and submit  
23 to the Secretary for approval a management plan for the  
24 Heritage Route that—

25 (1) specifies—

1 (A) any resources designated by the local  
 2 coordinating entity under section 904(a); and

3 (B) the specific boundaries of the Heritage  
 4 Route, as determined under section 904(b); and

5 (2) presents clear and comprehensive rec-  
 6 ommendations for the conservation, funding, man-  
 7 agement, and development of the Heritage Route.

8 (b) CONSIDERATIONS.—In developing the manage-  
 9 ment plan, the local coordinating entity shall—

10 (1) provide for the participation of local resi-  
 11 dents, public agencies, and private organizations lo-  
 12 cated within the counties of Millard County, Utah,  
 13 White Pine County, Nevada, and the Duckwater  
 14 Shoshone Reservation in the protection and develop-  
 15 ment of resources of the Heritage Route, taking into  
 16 consideration State, tribal, county, and local land  
 17 use plans in existence on the date of enactment of  
 18 this Act;

19 (2) identify sources of funding;

20 (3) include—

21 (A) a program for implementation of the  
 22 management plan by the local coordinating en-  
 23 tity, including—

1 (i) plans for restoration, stabilization,  
2 rehabilitation, and construction of public  
3 or tribal property; and

4 (ii) specific commitments by the iden-  
5 tified partners referred to in section  
6 905(b)(4) for the first 5 years of oper-  
7 ation; and

8 (B) an interpretation plan for the Heritage  
9 Route; and

10 (4) develop a management plan that will not in-  
11 fringe on private property rights without the consent  
12 of the owner of the private property.

13 (c) FAILURE TO SUBMIT.—If the local coordinating  
14 entity fails to submit a management plan to the Secretary  
15 in accordance with subsection (a), the Heritage Route  
16 shall no longer qualify for Federal funding.

17 (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
18 PLAN.—

19 (1) IN GENERAL.—Not later than 90 days after  
20 receipt of a management plan under subsection (a),  
21 the Secretary, in consultation with the Governors of  
22 the States of Nevada and Utah, shall approve or dis-  
23 approve the management plan.

1           (2) CRITERIA.—In determining whether to ap-  
2       prove a management plan, the Secretary shall con-  
3       sider whether the management plan—

4           (A) has strong local support from a diver-  
5       sity of landowners, business interests, nonprofit  
6       organizations, and governments associated with  
7       the Heritage Route;

8           (B) is consistent with and complements  
9       continued economic activity along the Heritage  
10      Route;

11          (C) has a high potential for effective part-  
12      nership mechanisms;

13          (D) avoids infringing on private property  
14      rights; and

15          (E) provides methods to take appropriate  
16      action to ensure that private property rights are  
17      observed.

18          (3) ACTION FOLLOWING DISAPPROVAL.—If the  
19      Secretary disapproves a management plan under  
20      paragraph (1), the Secretary shall—

21          (A) advise the local coordinating entity in  
22      writing of the reasons for the disapproval;

23          (B) make recommendations for revisions to  
24      the management plan; and

1 (C) not later than 90 days after the receipt  
2 of any proposed revision of the management  
3 plan from the local coordinating entity, approve  
4 or disapprove the proposed revision.

5 (e) IMPLEMENTATION.—On approval of the manage-  
6 ment plan as provided in subsection (d)(1), the local co-  
7 ordinating entity, in conjunction with the Secretary, shall  
8 take appropriate steps to implement the management  
9 plan.

10 (f) AMENDMENTS.—

11 (1) IN GENERAL.—The Secretary shall review  
12 each amendment to the management plan that the  
13 Secretary determines may make a substantial  
14 change to the management plan.

15 (2) USE OF FUNDS.—Funds made available  
16 under this title shall not be expended to implement  
17 an amendment described in paragraph (1) until the  
18 Secretary approves the amendment.

19 **SEC. 907. AUTHORITY AND DUTIES OF LOCAL COORDI-**  
20 **NATING ENTITY.**

21 (a) AUTHORITIES.—The local coordinating entity  
22 may, for purposes of preparing and implementing the  
23 management plan, use funds made available under this  
24 title to—

1           (1) make grants to, and enter into cooperative  
2           agreements with, a State (including a political sub-  
3           division), an Indian tribe, a private organization, or  
4           any person; and

5           (2) hire and compensate staff.

6           (b) DUTIES.—In addition to developing the manage-  
7           ment plan, the local coordinating entity shall—

8           (1) give priority to implementing the memo-  
9           randum of understanding and the management plan,  
10          including taking steps to—

11           (A) assist units of government, regional  
12           planning organizations, and nonprofit organiza-  
13           tions in—

14           (i) establishing and maintaining inter-  
15           pretive exhibits along the Heritage Route;

16           (ii) developing recreational resources  
17           along the Heritage Route;

18           (iii) increasing public awareness of  
19           and appreciation for the archaeological,  
20           historical, cultural, natural, scenic, and  
21           recreational resources and sites along the  
22           Heritage Route; and

23           (iv) if requested by the owner, restor-  
24           ing, stabilizing, or rehabilitating any pri-

1                   vate, public, or tribal historical building re-  
2                   lating to the themes of the Heritage Route;

3                   (B) encourage economic viability and diver-  
4                   sity along the Heritage Route in accordance  
5                   with the objectives of the management plan;  
6                   and

7                   (C) encourage the installation of clear,  
8                   consistent, and environmentally appropriate  
9                   signage identifying access points and sites of in-  
10                  terest along the Heritage Route;

11                 (2) consider the interests of diverse govern-  
12                 mental, business, and nonprofit groups associated  
13                 with the Heritage Route;

14                 (3) conduct public meetings in the region of the  
15                 Heritage Route at least semiannually regarding the  
16                 implementation of the management plan;

17                 (4) submit substantial amendments (including  
18                 any increase of more than 20 percent in the cost es-  
19                 timates for implementation) to the management plan  
20                 to the Secretary for approval by the Secretary; and

21                 (5) for any year for which Federal funds are re-  
22                 ceived under this title—

23                         (A) submit to the Secretary a report that  
24                         describes, for the year—

1 (i) the accomplishments of the local  
2 coordinating entity;

3 (ii) the expenses and income of the  
4 local coordinating entity; and

5 (iii) each entity to which any loan or  
6 grant was made;

7 (B) make available for audit all records  
8 pertaining to the expenditure of the funds and  
9 any matching funds; and

10 (C) require, for all agreements authorizing  
11 the expenditure of Federal funds by any entity,  
12 that the receiving entity make available for  
13 audit all records pertaining to the expenditure  
14 of the funds.

15 (c) PROHIBITION ON THE ACQUISITION OF REAL  
16 PROPERTY.—The local coordinating entity shall not use  
17 Federal funds made available under this title to acquire  
18 real property or any interest in real property.

19 (d) PROHIBITION ON THE REGULATION OF LAND  
20 USE.—The local coordinating entity shall not regulate  
21 land use within the Heritage Route.

22 **SEC. 908. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**  
23 **CIES.**

24 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

1           (1) IN GENERAL.—The Secretary may, on re-  
 2           quest of the local coordinating entity, provide tech-  
 3           nical and financial assistance to develop and imple-  
 4           ment the management plan and memorandum of un-  
 5           derstanding.

6           (2) PRIORITY FOR ASSISTANCE.—In providing  
 7           assistance under paragraph (1), the Secretary shall,  
 8           on request of the local coordinating entity, give pri-  
 9           ority to actions that assist in—

10                   (A) conserving the significant archae-  
 11                   ological, historical, cultural, natural, scenic, and  
 12                   recreational resources of the Heritage Route;  
 13                   and

14                   (B) providing education, interpretive, and  
 15                   recreational opportunities, and other uses con-  
 16                   sistent with those resources.

17           (b) APPLICATION OF FEDERAL LAW.—The establish-  
 18           ment of the Heritage Route shall have no effect on the  
 19           application of any Federal law to any property within the  
 20           Heritage Route.

21   **SEC. 909. LAND USE REGULATION; APPLICABILITY OF FED-**  
 22                   **ERAL LAW.**

23           (a) LAND USE REGULATION.—Nothing in this title—

24                   (1) modifies, enlarges, or diminishes any au-  
 25                   thority of the Federal, State, tribal, or local govern-

1       ment to regulate by law (including by regulation)  
2       any use of land; or

3           (2) grants any power of zoning or land use to  
4       the local coordinating entity.

5       (b) APPLICABILITY OF FEDERAL LAW.—Nothing in  
6 this title—

7           (1) imposes on the Heritage Route, as a result  
8       of the designation of the Heritage Route, any regu-  
9       lation that is not applicable to the area within the  
10      Heritage Route as of the date of enactment of this  
11      Act; or

12          (2) authorizes any agency to promulgate a reg-  
13      ulation that applies to the Heritage Route solely as  
14      a result of the designation of the Heritage Route  
15      under this title.

16 **SEC. 910. AUTHORIZATION OF APPROPRIATIONS.**

17      (a) IN GENERAL.—There is authorized to be appro-  
18      priated to carry out this title \$10,000,000, of which not  
19      more than \$1,000,000 may be made available for any fis-  
20      cal year.

21      (b) COST SHARING.—

22          (1) FEDERAL SHARE.—The Federal share of  
23      the cost of any activity assisted under this title shall  
24      not exceed 50 percent.

1           (2) FORM OF NON-FEDERAL SHARE.—The non-  
2       Federal share may be in the form of in-kind con-  
3       tributions, donations, grants, and loans from individ-  
4       uals and State or local governments or agencies.

5   **SEC. 911. TERMINATION OF AUTHORITY.**

6       The authority of the Secretary to provide assistance  
7   under this title terminates on the date that is 15 years  
8   after the date of enactment of this Act.

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